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SAMSUNG SEMICONDUCTOR, INC.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CARNEGIE MELLON UNIVERSITY

Plaintiff,

v.

MARVELL TECHNOLOGY GROUP  
and MARVELL SEMICONDUCTOR,  
INC.,

Defendants.

Case No.: 5:11-mc-80078-JF

**STIPULATION AND ~~PROPOSED~~  
ORDER MODIFYING HEARING  
DATE AND BRIEFING SCHEDULE  
FOR PLAINTIFF'S MOTION TO  
COMPEL**

Date: May 24, 2011

Time: 10:00 am

Dept: Courtroom 2, 5th Floor

Judge: Magistrate Judge Howard R. Lloyd

Carnegie Mellon University ("CMU"), plaintiff in an action pending in the Western District of Pennsylvania, initiated this proceeding to compel third-party Samsung Semiconductor, Inc. ("SSI") to comply with subpoenas. CMU's Motion to Compel SSI's

Compliance With FRCP 45 Document and Deposition Subpoenas ("Motion") is presently set for hearing before the Court on May 24, 2011. CMU and SSI hereby stipulate to and request that the hearing date be re-set for May 31, 2011.

CMU and SSI further stipulate to and request a modification of the briefing deadlines to coincide with the May 31, 2011 hearing date. Specifically, pursuant to Civil Local Rule 7-3, the parties hereby request that SSI's Opposition to the Motion be due on or before May 10, 2011, and CMU's Reply is due on or before May 17, 2011. The current and requested modifications are set forth below:

	<u>Current Deadline</u>	<u>Stipulated Deadline</u>
SSI's Opposition Briefing:	May 3, 2011	May <u>10</u> , 2011
CMU's Reply Briefing:	May 10, 2011	May <u>17</u> , 2011
Hearing:	May 24, 2011	May <u>31</u> , 2011

The parties agree that the interests of justice would be served by a one week extension of all deadlines, as SSI requires additional time is required to analyze and brief the issues raised by the Motion (including as a result of changes in staffing of SSI in-house counsel involved in responding to the underlying subpoena). In addition, judicial resources may also be conserved as the parties have an interest in attempting to resolve the issues in CMU's Motion without judicial intervention, obviating further briefing and the scheduled hearing.

THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND REQUESTED by the parties, through their respective counsel, that SSI's Opposition be due on or before May 10, 2011, CMU's Reply be due on or before May 17, 2011, and that the hearing currently scheduled to take place on May 24, 2011 be re-set for May 31, 2011 at 10:00 a.m., or on such a date and at such a time thereafter as is convenient for the Court.

Dated: April 29, 2011

By: /s/ Dan Royalty  
 Dan Royalty  
 K&L GATES LLP

Attorneys for Plaintiff  
 CARNEGIE MELLON UNIVERSITY

1 Dated: April 29, 2011

By: /s/ Simon Frankel  
Simon J. Frankel  
Robert Williams  
COVINGTON & BURLING LLP

Attorneys for Third Party  
SAMSUNG SEMICONDUCTOR, INC.

7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

9 DATED: May 2, 2011

  
Hon. Howard R. Lloyd  
UNITED STATES MAGISTRATE JUDGE

**ECF CERTIFICATION**

I, Simon J. Frankel, am the ECF User whose identification and password are being used to file this Stipulation And Proposed Order Modifying Hearing Date And Briefing Schedule For Plaintiff's Motion To Compel. In compliance with General Order 45.X.B, I hereby attest that Dan Royalty has concurred in this filing.

DATED: April 29, 2010

COVINGTON & BURLING LLP

By: /s/ Simon J. Frankel

Simon J. Frankel

**ATTORNEYS FOR SAMSUNG  
SEMICONDUCTOR, INC.**